

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,)	
)	
Plaintiff,)	
)	No. CR 15-2231-TUC-CKJ (LCK)
vs.)	
)	ORDER
Chester Wayne Wilson,)	
)	
Defendant.)	

On September 7 , 2016, Magistrate Judge Lynnette C. Kimmins issued a Report and Recommendation (Doc. 69) in which she recommended the Motion to Suppress Defendant's Statements (Doc. 29) and the Motion to Suppress Fruits of Illegal Seizure (Doc. 30) be denied. The Report and Recommendation notified the parties that they had 14 days from the date of service of the Report and Recommendation to file any objections. No objections have been filed.

The standard of review that is applied to a magistrate judge's report and recommendation is dependent upon whether a party files objections – the Court need not review portions of a report to which a party does not object. *Thomas v. Arn*, 474 U.S. 140, 150 (1985). However, the Court must “determine de novo any part of the magistrate judge's disposition that has been properly objected to. The district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the magistrate judge with instructions.” Fed.R.Civ.P. 72(b)(3); *see also* 28 U.S.C. § 636(b)(1).

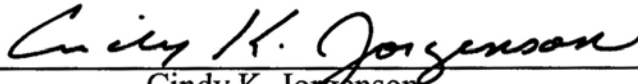
1 Nonetheless, “while the statute does not require the judge to review an issue de novo if no
2 objections are filed, it does not preclude further review by the district judge, sua sponte or
3 at the request of a party, under a de novo or any other standard.” *Thomas*, 474 U.S. at 154.

4 The Court has reviewed and considered the pending motions, the transcripts of the
5 hearings before the magistrate judge, and the related exhibits.

6 Accordingly, after an independent review, IT IS ORDERED:

- 7 1. The Report and Recommendation (Doc. 69) is ADOPTED.
8 2. The Motion to Suppress Defendant’s Statements (Doc. 29) is DENIED.
9 3. The Motion to Suppress Fruits of Illegal Seizure (Doc. 30) is DENIED.

10 DATED this 7th day of October, 2016.

11
12 
13 _____
14 Cindy K. Jorgenson
15 United States District Judge
16
17
18
19
20
21
22
23
24
25
26
27
28